

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

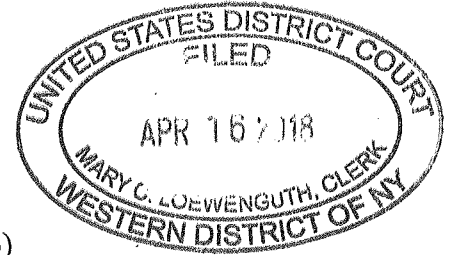
UNITED STATES OF AMERICA,

v.

18-CR-68-A

MICHAEL GIOKAS,

Defendant.



INFORMATION

(Title 18, United States Code, Section 1343)

COUNT 1

The United States Attorney Charges That:

1. From in or about May 2017 to in or about October 2017, in the Western District of New York and elsewhere, the defendant, MICHAEL GIOKAS, did knowingly commit wire fraud, in that he devised and intended to devise a scheme to defraud and to obtain money by means of false and fraudulent pretenses, representations and promises, and, for the purpose of executing such a scheme, transmitted and caused to be transmitted, by means of wire communication in interstate and foreign commerce, writings, signs, signals and sounds, in the form of wire transactions through financial institutions.

2. It was part of the scheme to defraud that defendant, a financial advisor responsible for managing the investments of more than forty clients, persuaded a client, hereinafter referred to as "Victim #1," through false and fraudulent pretenses, representations, and promises, to withdraw money from Victim #1's investment account at Nationwide Mutual Insurance Company ("Nationwide") and invest the money in a company called Trinity Council, LLC ("Trinity Council").

3. In furtherance of the scheme to defraud, and acting with intent to defraud, defendant falsely and fraudulently represented to Victim #1 that Trinity Council was a fund that invested in private corporations; that investments in Trinity Council were guaranteed to earn interest between eight and nine percent per year; and that investment principal was guaranteed. Defendant also provided Victim #1 with a false and fraudulent promissory note to convince him that the investment in Trinity Council was legitimate.

4. In fact, Trinity Council was a shell company that engaged in no investment or business activity. Defendant was the sole member and only owner of Trinity Council and the only person with signature authority on its bank accounts, which defendant opened for the purpose of executing this scheme to defraud.

5. On or about May 22, 2017, defendant knowingly solicited and caused Victim #1 to transfer \$200,000 from Victim #1's Nationwide account, located in Ohio, by means of wire communication in interstate commerce, into Victim #1's personal bank account, located in New York, which money was then paid to defendant for investment in Trinity Council.

6. Defendant then used Victim #1's money for defendant's own benefit to pay defendant's personal expenses.

All in violation of Title 18, United States Code, Section 1343.

FORFEITURE ALLEGATION

(Proceeds)

The United States Attorney Alleges That:

As a result of his conviction of Count 1 of this Information, the defendant, MICHAEL GIOKAS, shall forfeit to the United States of any property, real or personal, which were properties derived from proceeds traceable to an offense of conviction, including but not limited to the following:

FINANCIAL ACCOUNTS AND INSTRUMENTS:

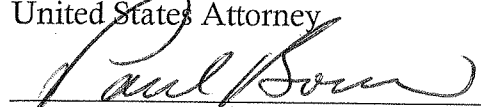
- a. The contents and monies contained within Empower Federal Credit union business checking account number 254274-12 in the name Trinity Council LLC, seized by law enforcement on or about February 23, 2018 having a value of \$69,784.32.
- b. The proceeds from check number 2108493 from Manheim, Inc. dated November 1, 2017 made payable to Bruce D. Waasdorp in the amount of \$29,775.00, seized by law enforcement on or about February 27, 2018.

All pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c).

DATED: Buffalo, New York, April 16, 2018.

JAMES P. KENNEDY, JR.
United States Attorney

BY:


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